IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 2926 of 2005

Between:

R. Subba Rao S/o. Venkat Rao
(Full Additional charge) S.L.N.I.F.H. school, Inagallu Village, Parchur Mandal, Prakasam District.

.....PETITIONER

AND

1 The District Educational Officer, Prakasam District at Ongole.
2 The Regional Joint Director of School Education, Guntur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ Order or direction more particularly one in the nature of WRIT OF MANDAMUS, to declare the action of the 2nd respondent in not considering the case of the petitioner for promotion to the post of Head Master despite the required proposal submitted by the concerned authorities as arbitrary, unjust and against to the principles of natural justice and consequently direct the respondents to take necessary action for promotion of the petitioner to the post of Head Master from the date of the vacancy, and to pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.S.VENKATESWARLU

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court made the following :

ORDER:

To declare the action of the 2nd respondent in not considering the case of the petitioner for promotion to the post of Head Master despite the required proposal submitted by the Deputy Educational Officer, Parchur, no action has been taken. Hence, the present writ petition.

It is the case of the petitioner that he is the senior-most B.Ed Assistant working in the S.L.N.I.D.H.School, Inagallu Village, Parchur Mandal, Prakasam District. The aided Head Master post has become vacant due to voluntary retirement of Sri S.Hanumantha Rao. The petitioner was placed full additional charge to the above post of Head Master. Therefore, he gave a representation to the 2nd respondent to consider his case for promotion to the post of Head Master. The same has not been considered.

Heard the learned Counsel for the petitioner and the learned Government Pleader for School Education.

The Deputy Educational Officer, Parchur in his proceedings dated 27.11.2004 addressed a letter to the District Educational Officer, Ongole stating that the present writ petitioner is eligible for promotion as Head Master. The District Educational Officer in turn in his proceedings dated 31.12.2004 addressed a letter to the 2nd respondent requesting to issue necessary orders in the matter and appropriate decision has been taken by the 2nd respondent in accordance with rules and regulations. Hence, the writ petition is disposed of directing the 2nd respondent to take appropriate decision in accordance with the proposals submitted by the Deputy Educational Officer, Parchur, duly taking note of the representation dated 24.08.2004 of the petitioner in accordance with rules and regulations within a period of three months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

01.03.2005

MRKR

To

1 The District Educational Officer, Prakasam District at Ongole.
2 The Regional Joint Director of School Education, Guntur.

3 Two C.Cs to the Government Pleadaer for School Education, High Court Buildings, Hyderabad.

4 Two C.D.copies.

*Form-NIC-OGS/WP{**VSMI**}*